

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION

RICHARD MYERS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 2:05CV00023 AGF
	)	
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Currently before the Court is Defendant's motion to reverse and remand this Social Security disability case pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g).<sup>1</sup>

Following a hearing on Plaintiff's application for disability insurance benefits and Supplemental Security Income benefits, an Administrative Law Judge (ALJ) found that Plaintiff was not disabled. The decision of the ALJ became the final decision of the Commissioner of Social Security, and Plaintiff sought judicial review.

The Commissioner now states that agency counsel asked the Appeals Council of the Social Security Administration to reconsider the Commissioner's decision, and that upon review, the Appeals Council determined that remand was appropriate for further consideration of Plaintiff's claims. The Commissioner asserts that upon remand by the

---

<sup>1</sup> The parties have consented to the exercise of authority by the undersigned United States Magistrate Judge under 28 U.S.C. § 636(c).

Court, the Appeals Counsel will remand the case to the ALJ, who will be directed to order psychological testing, properly evaluate Plaintiff's mental impairment, more fully develop the record regarding Plaintiff's past work and, if necessary, obtain vocational expert testimony. Plaintiff consents to Defendant's motion.

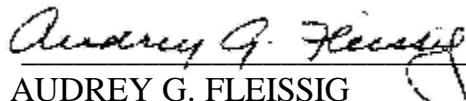
Title 42 U.S.C. § 405(g) provides, "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing."

The Court finds that the Commissioner has made a sufficient showing of good cause to reverse and remand this case for further action.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's motion to reverse and remand the case to the Commissioner for further consideration is **GRANTED**. [Doc. #12]

An appropriate Judgment shall accompany this Memorandum and Order.

  
\_\_\_\_\_  
AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE

Dated this 9th day of September, 2005.